

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

JAROMIR KOVARIK, et al.,
Plaintiffs

v.

SOUTH ANNVILLE TOWNSHIP, et al.,
Defendants

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No. 1:17-cv-00097

(Judge Kane)

ORDER

AND NOW, on this 22nd day of March 2018, in accordance with the Memorandum entered concurrently with this Order, **IT IS ORDERED THAT:**

1. Defendants' motions to dismiss (Doc. Nos. 11, 14, 15), are **GRANTED IN PART** and **DENIED IN PART** as follows:
 - a. Counts I, II, IV, and V of Plaintiffs' complaint asserting federal causes of action under 42 U.S.C. § 1983 and the Racketeer Influenced and Corrupt Organizations Act, 18 U.S.C. § 1961 et seq. are **DISMISSED WITH PREJUDICE**; and
 - b. All pendent state law claims asserted in the complaint are **DISMISSED WITHOUT PREJUDICE** pursuant to 28 U.S.C. § 1367(c)(3);
2. Plaintiffs' motion for leave to amend the complaint (Doc. No. 51), is **DENIED**;
3. Defendants' motion to stay discovery (Doc. No. 72), and Plaintiffs' motion for "contempt sanctions" (Doc. No. 73), are **DENIED AS MOOT**;
4. The stay on briefing imposed by this Court in its Order dated May 23, 2017 (Doc. No. 50), is **LIFTED**;
5. The parties' cross-motions for sanctions filed pursuant to Federal Rule of Civil Procedure 11 (Doc. Nos. 24, 25, 43, 53, 54, 55), are **DENIED**; and
6. The Clerk is directed to **CLOSE** this case.

s/ Yvette Kane
Yvette Kane, District Judge
United States District Court
Middle District of Pennsylvania